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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,882	01/16/2001	Loay Abu-Husein	10992693-1	9296

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EXAMINER	
ZHOU, TING	
ART UNIT	**PAPER NUMBER**
2173	3

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/765,882	ABU-HUSEIN, LOAY	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- Th MAILING DATE of this communication appears on the cover sh et with th correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-20 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 16 January 2001 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Note reference characters "100", "102", "103" and "104" in Figure 2.

2. Applicant is required to submit a proposed drawing correction of the above noted deficiencies in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yan et al. U.S. Patent 6,003,065.

Referring to claim 1, Yan et al. teach an appliance application loading system for a network environment (column 2, lines 54-60). Specifically, Yan et al. teach, in column 5, lines 40-67, a client (a thin client via the peripheral device, as recited in column 19, lines 38-40), a web application server communicating with the client within the network environment (a host computer), an appliance (peripheral device) communicably attached with the web server within the network environment (the host computer communicates with the peripheral device via communication links such as the Internet, as recited in column 6, lines 52-67) and a loading mechanism (information downloading mechanism) provided on the network-based appliance and operative to download an application to the appliance from the web application server upon the occurrence of a power on/off cycle (power on self test which upon boot up time, downloads the functions and applications to the peripheral device, as recited in column 20, lines 63-67and continuing onto column 21, lines 1-14 and 23-29).

Referring to claim 2, Yan et al. teach the loading mechanism provided at least in part by the client (the loading of the function and applications occurs in the peripheral device, which is a thin client), as recited in column 19, lines 38-43 and column 21, lines 23-29.

Referring to claim 3, Yan et al. teach the network-based appliance (peripheral device) comprising an embedded device (virtual machine instruction processors embedded in the peripheral devices), as recited in column 7, lines 4-8 and 38-45.

Referring to claim 4, Yan et al. teach the embedded device (virtual machine) comprising a non-volatile storage device, as recited in column 23, lines 53-56 and column 197, lines 14-18.

Referring to claim 5, Yan et al. teach an application header and a uniform resource locator (URL) stored on the non-volatile storage device and an application body is provided on

the web server (World Wide Web) at a location corresponding with the URL (the URL header of the application to be downloaded from the web server can be downloaded to reside in the peripheral device's storage while the server holds the material of the application to be downloaded), as recited in column 11, lines 21-24 and column 16, lines 20-24.

Referring to claim 6, Yan et al. teach the application body comprising a servlet provided on the web server, as recited in column 5, lines 40-67. According to the definition provided by Hyper Dictionary (http://www.hyperdictionary.com), a servlet is "a Java program that runs as part of a network service, typically an HTTP server and responds to requests from clients. The most common use for a servlet is to extend a web server by generating web content dynamically. For example, a client may need information from a database; a servlet can be written that receives the request, gets and processes the data as needed by the client and then returns the result to the client." Yan et al. teach a network (host computer) that responds to requests from clients. The peripheral devices requests information (applications) from the database and the virtual machines instruction processors processes the information and returns the results to the peripheral devices.

Referring to claim 7, Yan et al. teach the network-based appliance comprising an embedded device and the loading mechanism comprising a virtual machine (the peripheral devices comprises embedded virtual machine instruction processors and the downloading mechanism of the peripheral devices comprises a virtual machine), as recited in column 5, lines 60-67 and column 7, lines 4-8.

Referring to claim 8, Yan et al. teach the network-based appliance (peripheral device) using the loading device to download specific appliance configuration settings, as recited in column 14, lines 38-40 and column 21, lines 12-17.

Referring to claim 9, Yan et al. teach the appliance comprising an embedded device, and the loading mechanism comprising a program routine that copies an application program into the memory of the embedded device from the web server for execution (downloading functions associated with the applications into the peripheral device), as recited in column 21, lines 23-29 and column 23, lines 53-59.

Referring to claim 10, Yan et al. teach a computer peripheral program product comprising a web application server, a network environment, a computer peripheral and a application loader to load an extendable architecture application to the computer peripheral (downloading applications and functions to the peripheral device) so as to enable versioning, updating and remote configuration of the computer peripheral (column 23, lines 47-50 and column 24, lines 7-9) via the web application server, wherein the application loader associates an application header of the computer peripheral and an application body of the web application server (the URL header of the application to be downloaded from the web server can be downloaded to reside in the peripheral device's storage while the server holds the material of the application to be downloaded, as recited in column 11, lines 21-24 and column 16, lines 20-24).

Referring to claim 11, Yan et al. teach the appliance comprising a virtual machine including a web client (thin client), as recited in column 7, lines 38-45 and column 19, lines 38-40.

Referring to claim 12, Yan et al. teach the appliance (peripheral device) comprising a printer (as shown by reference character "102B" in Figure 10), and updating comprising configuring the printer with a printer application comprising a printer configuration state, as recited in column 21, lines 12-17 and column 23, lines 58-65.

Referring to claim 13, Yan et al. teach the printer configuration state comprising user settings (user selects a specific operation to perform and the system configures and sets the device), as recited in column 21, lines 12-17.

Referring to claim 14, Yan et al. teach a servlet on the web application server that transfers applications and settings to the printer in response to a power cycle that automatically updates the application and configuration settings for the printer, as recited in column 20, lines 63-67 and column 21, lines 1-5.

Referring to claim 15, Yan et al. teach an application header including identification information for the application and a URL to the application body on the application server (the URL header of the application to be downloaded from the web server can be downloaded to reside in the peripheral device's storage while the server holds the material of the application to be downloaded) and the application body comprises one or more individual applications that can be loaded on the appliance (more than one document can be downloaded to the peripheral device), as recited in column 11, lines 21-24 and column 16, lines 20-24.

Referring to claim 16, Yan et al. teach, in column 5, lines 40-67, column 6, lines 52-67 and column 21, lines 1-29, a method for updating applications to embedded devices (downloading applications to peripheral devices), comprising providing a network-based appliance (peripheral devices such as printers) communicably attached with a web application

server, the appliance having a loading mechanism to download an application to the appliance from the server, querying the appliance with the web server to determine presence of an application and updating the appliance with the application from the server upon the occurrence of a power on/off cycle (column 20, 63-67).

Referring to claim 17, Yan et al. teach the appliance comprising an embedded device, and updating comprising configuring the embedded device with an application (downloading an application) comprising an embedded device configuration state, as recited in column 21, lines 12-29.

Referring to claim 18, Yan et al. teach the embedded device configuration state comprising user settings, as recited in column 21, lines 12-17.

Referring to claim 19, Yan et al. teach a servlet on the web application server that is transferred to the embedded device in response to a power cycle that automatically updates the application and configuration settings for the embedded device, as recited in column 20, lines 63-67 and column 21, lines 1-5.

Referring to claim 20, Yan et al. teach a plurality of appliances communicably attached with the web application server (as shown in Figure 1) each with a dedicated one of the loading mechanism, wherein the web application server stores appliance applications and configuration settings (column 20, lines 63-67and continuing onto column 21, lines 1-29) to enable plural appliance configuration setup to version and update such applications (column 23, lines 47-50 and column 24, lines 7-9).

4. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar methods for downloading information to peripheral devices.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

January 22, 2004

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2